



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Barkur G. BHAT *et al.*

Appln. No.: 09/267,199

Filed: March 12, 1999

Title: Nucleic Acid Molecules and Other
Molecules Associated with the Tocopherol
Pathway

Art Unit: 1631

Examiner: Marjorie A. MORAN

Atty. Docket: 16517.233/38-21(15092)B

#17
Plunkett
7/18/02

RECEIVED

JUL 17 2002

TECH CENTER 1600/2900

Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences

Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated April 10, 2002, that resulted in Applicants having claims that have been twice or finally rejected.

Arnold & Porter check no. 201443 submitted herewith includes payment of the fee of \$320.00 for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)). In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for in the papers accompanying this Notice are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-1824, referencing docket number 16517.233/38-21(15092)B. A duplicate copy of this Notice is attached.

07/15/2002 SMINASS1 00000049 09267199

01 FC:119

320.00 OP

Respectfully submitted,

David R. Marsh (Reg. No. 41,408)

Holly Logue Prutz (Reg. No. 47,755)

Date: July 10, 2002

ARNOLD & PORTER
The Thurman Arnold Building
555 Twelfth Street, N.W.
Washington, D.C. 20004-1206
202.942.5000 telephone
202.942.5999 facsimile